

**INFORMATION & PROCEDURES  
 FOR CHANGE OF ZONING REQUESTS  
 AND CONDITIONAL USE PERMITS**

**The applicant is strongly encouraged to attend a pre-application meeting for the project prior to submittal of a zoning application.**

COMPLETE APPLICATION REQUIRED — CONDITIONS FOR PROCESSING

The applicant shall submit the following information to begin the rezoning or conditional use permit process. Each and every item is considered an essential part of the application and is necessary to ensure a proper review. Once submitted, the Case Manager will review the application for completeness. ***If the application is incomplete, the applicant will be notified. Applications that remain incomplete 45 days after the date of submittal shall expire. Incomplete applications will not be reviewed and will not be scheduled for public hearings until the application is considered complete.***

All Applications: All zoning applications shall be submitted online through the Citizen’s Access Portal (CAP) <https://energov.cityofmesquite.com>. Links to directions for submitting a plan through CAP are available at the end of this packet. All initial Zoning applications shall be accompanied by the following materials submitted electronically through CAP:

- A fully completed City of Mesquite “Zoning Application”.
- A completed Consent Form either signed by the property owner or accompanied by a signed and notarized letter from the property owner giving the representative the ability to make the application for the owner.
- Payment of all applicable fees (see fee schedule below). Invoice for the zoning request will be generated after the online submittal is checked for completeness. Any outstanding invoice will need to be paid prior to scheduling of the public hearings.
- A digital version of the required exhibits in “PDF” format. Each plan type must be in an individual PDF. Plan types with multiple pages must be combined into 1 PDF document.
- A copy of the appropriate checklist for the request being submitted, completed and signed by the applicant.

Zoning Application Fees:

Change of Zoning:	\$1,000.00 plus \$15.00 per acre
Planned Developments:	\$1,250.00 plus \$15.00 per acre
Conditional Use Permit:	\$1,000.00 (all acreages)
Low Impact CUP:	\$800.00 (all acreages)

Note: If a Planned Development classification is approved, then a detailed Planned Development site plan must be submitted for approval before any permits are issued. This procedure normally takes an additional 45 to 60 days.

**CONCURRENT SUBMITTALS NOT PERMITTED**

Unless authorized by the Case Manager, the applicant may not submit site plans, engineering plans, or plats concurrent with a Zoning Application. Please see the current “Development Review Process” publication for more information.

## PROCEDURES FOR ZONING CHANGES & CONDITIONAL USE PERMITS

Public Hearings/Notification: Public hearings are meetings which are open to all interested parties, and at which such parties may present testimony in favor or in opposition to a requested action. Once an application is accepted and the dates of the public hearings are established, notice of the action, hearing date and place will be publicized by the following methods: 1) Publication in *The Mesquite News* (published on Thursdays), and 2) Written notice mailed to property owners within 200 feet of the subject property (the statutory notification area). Where appropriate, the notice may be distributed beyond 200 feet to increase public participation. Property owners are also furnished with response forms, which they can return to the Planning Office to indicate their support or opposition to a requested change.

Staff Comments and Recommendations: The Planning staff will review the proposals and prepare a staff report to the Planning and Zoning Commission, including comments regarding the request and a recommendation for action. This report is available to the applicant by the Thursday before the meeting and may be distributed to other interested parties at that time.

Planning and Zoning Commission: The Planning and Zoning Commission (the Commission) will hold a hearing and make a recommendation to the City Council. Requests that are recommended for approval are automatically forwarded to the City Council for a second public hearing. If the Commission recommends denial of the request, it will be scheduled for a City Council hearing only if the applicant submits a written appeal within ten (10) days to the City Secretary.

City Council: The City Council (the Council) will hold a hearing and may sustain or reverse the Planning and Zoning Commission's recommendation by a simple majority vote. A  $\frac{3}{4}$  vote of the Council is required if the owners representing 20% of the property within the statutory notification area file written opposition to the proposed change. Council's action is final, and a request that has been denied may not be presented again for one year without extenuating circumstances.

Presentation/Postponement: The applicant or a representative must be present at all hearings to describe the proposed change and answer questions. Hearings will generally not be postponed once notice has been published. Hearings may be held, and action may be taken, whether or not the applicant is in attendance.

Ordinance Preparation/Adoption: A zoning change or conditional use permit is not approved until an ordinance is adopted. The Case Manager will prepare the ordinance and submit it to the Council for action concurrent with the public hearing.

Meeting Information: All public hearings will be held in the City Council chambers of City Hall, located at 757 North Galloway Avenue. Pre-meetings begin at 6:30p.m. and the regular meetings start at 7:00p.m. in most cases. Should the meeting time change, you will be properly notified.

Any requests for sign interpretive services must be made 48 hours in advance of the meeting by calling the City Secretary's Office at (972) 216-6244 or TDD 1-800-735-2989.

For further information, please contact the Planning Division at 972-216-6216.

# Straight Rezoning Request Checklist

**Project Name:** \_\_\_\_\_

This checklist is provided to assist you in addressing the minimum requirements for a zoning request submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Indicate that all information is included on the submitted plans by checking the box next to the required information. **Checking the box certifies to the City that you have completely and accurately addressed the issue.** Return this form at the time of application submittal.

<b>STATEMENT OF INTENT AND PURPOSE</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	Description of project uses.
<input type="checkbox"/>	Existing and proposed zoning and land use.
<input type="checkbox"/>	Potential residential density if proposed zoning for residential districts (exclude major thoroughfares from density calculations).
<input type="checkbox"/>	Address how the requested rezoning complies the Mesquite Comprehensive Plan.
<b>EXHIBIT A – LEGAL DESCRIPTION</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	Digital PDF copy of the Legal description (metes and bounds) of the area encompassing the zoning request signed and sealed by a surveyor with labeling at top of the document indicating Exhibit "A". The legal description shall extend to the centerline of adjacent thoroughfares and creeks.
<b>EXHIBIT B – ZONING EXHIBIT</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	A title block in the lower right corner that includes large, boldly printed "EXHIBIT B – ZONING EXHIBIT", that includes project name, subdivision name, lot and block, or survey name, abstract number, Dallas or Kaufman County, submission date, and a log of submittal/revision dates since submitted to the City.
<input type="checkbox"/>	Names, addresses and phone numbers of owner, applicant and surveyor.
<input type="checkbox"/>	Written and bar graph scale and north arrow are indicated. <i>(North shall be oriented to the top or left side of the sheet)</i>
<input type="checkbox"/>	Legend, if abbreviations or symbols are used.
<input type="checkbox"/>	Location/vicinity map showing the location of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
<input type="checkbox"/>	The legal description (metes and bounds) of the area within the zoning request shall be included on the zoning exhibit and signed and sealed by a surveyor.
<input type="checkbox"/>	Distances to nearest cross streets.
<input type="checkbox"/>	Total gross and net acreage of existing and requested zoning.
<input type="checkbox"/>	Existing and requested zoning boundary lines.
<input type="checkbox"/>	<i>(Requested zoning district boundary is indicated by a heavy solid line, intermittent with 2 dash lines; dimensioned with bearings and distances)</i>
<input type="checkbox"/>	Abstract lines, survey lines, county lines, corporate boundaries are correctly shown and clearly labeled.
<input type="checkbox"/>	Adjacent property within 200 feet - subdivision name or owner's name and recording information, land use, future land use plan designation, and zoning.
<input type="checkbox"/>	Location and width of driveways, streets, roads and other thoroughfares within 200 feet of the property.
<input type="checkbox"/>	Location of existing rights-of-way and easements with filing information.
<input type="checkbox"/>	Location and width of planned and existing thoroughfares, streets, or county roads within and adjacent to the property.
<input type="checkbox"/>	If exhibit contains proposed thoroughfares add note: "The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat."
<input type="checkbox"/>	Topography at five-foot contours or less.
<input type="checkbox"/>	Existing and proposed FEMA-100 year floodplain areas, or a note that no 100-year floodplain exists on the property.
<input type="checkbox"/>	A note that states, "The development of the site will be in accordance with City of Mesquite development standards."

Preparer's Signature: \_\_\_\_\_

# Planned Development Request Checklist (pg. 1 of 2)

**Project Name:** \_\_\_\_\_

This checklist is provided to assist you in addressing the minimum requirements for a Planned Development Request submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Indicate that all information is included on the submitted plans by checking the box next to the required information. **Checking the box certifies to the City that you have completely and accurately addressed the issue.** Return this form at the time of application submittal.

<b>STATEMENT OF INTENT AND PURPOSE</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	Description of project uses.
<input type="checkbox"/>	Existing and proposed zoning and land use.
<input type="checkbox"/>	Potential residential density if proposed zoning for residential districts.
<input type="checkbox"/>	Address how the requested rezoning complies the Mesquite Comprehensive Plan.
<b>EXHIBIT A – LEGAL DESCRIPTION</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	Digital PDF copy of the Legal description (metes and bounds) of the area encompassing the zoning request signed and sealed by a surveyor with labeling at top of the document indicating Exhibit “A”. The legal description shall extend to the centerline of adjacent thoroughfares and creeks.
<b>EXHIBIT B – PLANNED DEVELOPMENT STANDARDS</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	A list of the development standards, if any (whether in the PD Ordinance or in the then-existing ordinances, rules, or regulations of the City that apply to development within the PD District), for which the applicant is seeking amendment by the Council as part of the PD Development Plan approval process. If different standards will be applied to different tracts within the PD, list proposed standards for all tracts separately, label each list of standards, and comparably label the corresponding tracts on the zoning exhibit (Exhibit B).
<b>EXHIBIT C – ZONING CONCEPT PLAN</b>	
<b>Included</b>	<b>Item Description</b>
<input type="checkbox"/>	A title block in the lower right corner that includes large, boldly printed “EXHIBIT E – ZONING CONCEPT PLAN”, project name, subdivision name, lot and block, or survey name, abstract number, Dallas or Kaufman County, submission date, and a log of submittal/revision dates since submitted to the City.
<input type="checkbox"/>	Names, addresses and phone numbers of owner, applicant and surveyor.
<input type="checkbox"/>	Written and bar graph scale and north arrow are indicated. ( <i>North shall be oriented to the top or left side of the sheet</i> )
<input type="checkbox"/>	Legend, if abbreviations or symbol are used.
<input type="checkbox"/>	Location/vicinity map showing the location of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
<input type="checkbox"/>	Site Data Summary Table
<input type="checkbox"/>	Topography at five-foot contours or less.
<input type="checkbox"/>	Site boundaries, bearings and dimensions, site acreage and square footage, and approximate distance to the nearest cross street.
<input type="checkbox"/>	Natural features including tree masses, drainage ways, and creeks.
<input type="checkbox"/>	Existing and proposed FEMA 100-year floodplain with elevation. Include finished floor elevations of all lot adjacent to floodplain. If the site does not contain a floodplain, note that: “No 100-year floodplain exists on the site”.
<input type="checkbox"/>	Proposed reclamation of floodplain area(s), if applicable, with acreage.
<input type="checkbox"/>	Subdivision name, zoning, future land use plan designation, recording information and land use description of property adjacent to the subject property.
<input type="checkbox"/>	Assignment of use to specific areas within the plan.
<input type="checkbox"/>	Building sites (including maximum building intensity, density, heights and use restrictions as appropriate). Illustration of the approximate shape and placement of buildings is required for non-residential uses.
<input type="checkbox"/>	Area, use and approximate location of existing and proposed structures. Existing structures, whether to remain or be removed, should be included.
<input type="checkbox"/>	Thoroughfares as depicted on the Master Thoroughfare Plan (MTP) within and adjacent to the site are accurately located, named and dimensioned. <i>Existing thoroughfares shown as a light weight solid line; proposed shown as a medium weight solid line.</i>

*Planned Development Request  
Checklist* (pg. 2 of 2)

- Existing and proposed public streets and private drives with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with approximate dimensions.  
*Existing street to be shown as a light, solid line; proposed shown as a medium weight solid line.*
- If concept plan contains proposed thoroughfares add note: "The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat."
- Phases of development, including delineation of areas, building sites, land use and other improvements to be constructed in independent phases.
- Proposed dedications and reservations of land for public use including but not limited to: rights-of-way, easements, park land, open space, drainage ways, floodplains and facility sites.
- Distances (measured edge to edge) between existing and proposed driveways and streets.
- Existing or proposed easements (utility, drainage, visibility and maintenance, etc.).
- A note that states, "Deviations from current development standards/regulations not specifically addressed/listed for approval as part of Planned Development Regulations may require a hearing/approval by the Board of Adjustment (BOA)."
- A note that states, "All current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations."
- A note that states, "This Zoning Concept Plan is for illustrative purposes only and subject to change. This Zoning Concept Plan, along with development regulations, is intended to describe the intent of the Planned Development. Significant deviations from this Zoning Concept Plan, as determined by the Director of Planning and Development Service, will require an amendment to the Zoning Concept Plan and, as necessary, the development regulations."
- Additional information as requested by the City to clarify the proposed development and compliance with minimum development requirements.

Preparer's Signature: \_\_\_\_\_

*Conditional Use Permit (CUP)*  
*Checklist (Pg. 1 of 2)*

**Project Name:** \_\_\_\_\_

This checklist is provided to assist you in addressing the minimum requirements for a Conditional Use Permit (SUP). An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Indicate that all information is included on the submitted plans by checking the box next to the required information. **Checking the box certifies to the City that you have completely and accurately addressed the issue.** Return this form at the time of application submittal.

STATEMENT OF INTENT AND PURPOSE	
Included	Item Description
<input type="checkbox"/>	Description of project uses.
<input type="checkbox"/>	Address how the requested rezoning complies the Mesquite Comprehensive Plan.
<input type="checkbox"/>	Address how the request meets the approval criteria in Section 5-303 of the Mesquite Zoning Ordinance, outlined below. <ol style="list-style-type: none"> <li>1. <b>Existing Uses:</b> That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.</li> <li>2. <b>Vacant Properties:</b> That the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in area</li> <li>3. <b>Services:</b> That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Conditional uses in residential districts shall generally require direct access to an arterial street.</li> <li>4. <b>Parking:</b> That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.</li> <li>5. <b>Performance Standards:</b> That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.</li> </ol>
EXHIBIT A – LEGAL DESCRIPTION	
Included	Item Description
<input type="checkbox"/>	Digital PDF copy of the Legal description (metes and bounds) of the area encompassing the zoning request signed and sealed by a surveyor with labeling at top of the document indicating Exhibit “A”. The legal description shall extend to the centerline of adjacent thoroughfares and creeks.
EXHIBIT B – ZONING CONCEPT PLAN	
Included	Item Description
<input type="checkbox"/>	A title block in the lower right corner that includes large, boldly printed “EXHIBIT B – ZONING CONCEPT PLAN”, that includes project name, subdivision name, lot and block, or survey name, abstract number, Dallas or Kaufman County, submission date, and a log of submittal/revision dates since submitted to the City.
<input type="checkbox"/>	Names, addresses and phone numbers of owner, applicant and surveyor.
<input type="checkbox"/>	Written and bar graph scale and north arrow are indicated. ( <i>North shall be oriented to the top or left side of the sheet</i> )
<input type="checkbox"/>	Legend, if abbreviations or symbol are used.
<input type="checkbox"/>	Location/vicinity map showing the location of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
<input type="checkbox"/>	Site boundaries, bearings and dimensions, site acreage and square footage, and approximate distance to the nearest cross street.
<input type="checkbox"/>	Topography at two-foot contours or less.
<input type="checkbox"/>	Natural features including tree masses, drainage ways, and creeks.
<input type="checkbox"/>	Existing and proposed FEMA 100-year floodplain with elevation. Include finished floor elevations of all lot adjacent to floodplain. If the site does not contain a floodplain, note that: “No 100-year floodplain exists on the site”.
<input type="checkbox"/>	Proposed reclamation of floodplain area(s), if applicable, with acreage.
<input type="checkbox"/>	Subdivision name, zoning, future land use plan designation, recording information and land use description of property adjacent to the subject property.
<input type="checkbox"/>	Assignment of use to specific areas within the plan.

# Conditional Use Permit (CUP)

## Checklist (Pg. 2 of 2)

- Building sites (including maximum building intensity, density, heights and use restrictions as appropriate). Illustration of the approximate shape and placement of buildings is required for non-residential uses.
- Area, use and approximate location of existing and proposed structures. Existing structures, whether to remain or be removed, should be included.
- Thoroughfares as depicted on the Master Thoroughfare Plan (MTP) within and adjacent to the site are accurately located, named and dimensioned.  
*Existing thoroughfares to be shown as a light, solid line; proposed shown as a medium weight solid line.*
- Existing and proposed public streets and private drives with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with approximate dimensions.  
*Existing streets to be shown as a light, solid line; proposed shown as a medium weight solid line.*
- If concept plan contains proposed thoroughfares add note: "The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat."
- Phases of development, including delineation of areas, building sites, land use and other improvements to be constructed in independent phases.
- Proposed dedications and reservations of land for public use including but not limited to: rights-of-way, easements, park land, open space, drainage ways, floodplains and facility sites.
- Distances (measured edge to edge) between existing and proposed driveways and streets.
- Existing or proposed easements (utility, drainage, visibility and maintenance, etc.).
- Existing and proposed utilities and fire hydrants.
- Proposed detention areas.
- Conceptual detail of landscaping including islands with dimensions and open space areas with dimensions and square footage.
- Parking areas and structures, including the number and layout of standard spaces, angle of parking if other than 90 degrees, handicap spaces, drive aisles, loading and unloading areas, the location of ramps, crosswalks, sidewalks, and barrier free ramps with typical dimensions.
- A note is included that states, "The development of the site will be in accordance with City of Mesquite development standards."
- A note is included that states, "All current development requirements of the City as amended shall be met unless otherwise approved."
- Additional information as requested by the City to clarify the proposed development and compliance with minimum development requirements.

Preparer's Signature: \_\_\_\_\_

<h1>CITY OF MESQUITE ZONING APPLICATION</h1>	Receipt No.		Date Stamp:
	Fee:		
	Case Manager:		

**REQUESTED ACTION:**

Change District Classification to: _____	Conditional Use Permit for: _____	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
Additional explanation of requested action: _____ _____		

**SITE INFORMATION/GENERAL LOCATION:**

**LOCATION/LEGAL DESCRIPTION:**

Current Zoning Classification: _____ Site Size: _____ (Acres or Square Feet) Address (if available): _____ General Location Description: _____ _____ _____	Complete one of the following: 1. Platted Property Addition: _____ Block: _____ Lot: _____ 2. Unplatted Property: Abstract: _____ Tract: _____
---	---

**APPLICANT INFORMATION:**

Contact: _____	Phone: (_____) _____ - _____
Company: _____	Fax: (_____) _____ - _____
Address: _____ _____	E-mail: _____ <small>(Required)</small>
Signature: _____	Owner <input type="checkbox"/> Representative <input type="checkbox"/> Tenant <input type="checkbox"/> Buyer <input type="checkbox"/>

**OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:**

1. I hereby certify that I am the owner or duly authorized agent of the owner, of the subject property for the purposes of this application.

2. I hereby designate the person named above as applicant, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite in the processing of this application.

3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) Taking photographs documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in the erecting, maintaining, or removal of said signs or the taking of said photographs.

Owner: \_\_\_\_\_ Phone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Address: \_\_\_\_\_ Fax: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_ E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_





## City of Mesquite Planning Office

MAILING ADDRESS:  
P.O. Box 850137  
Mesquite, TX 75185-0137

PHYSICAL ADDRESS:  
1515 N. Galloway Ave.  
Mesquite, TX 75149-2300

PHONE:  
(972)-216-6216  
FAX:  
(972) 216-8109

WEB SITE:  
[www.cityofmesquite.com](http://www.cityofmesquite.com)  
<https://energov.cityofmesquite.com>

CAP and e-Review Directions:

[Create CAP Account](#)

[Create Plat Application on CAP](#)

[Uploading a plan to e-Review](#)

[Viewing reviewed plans and uploading plans in e-Review](#)